

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG

FEB 28 2013

MARY E. DIANDREA, CLERK
Per ESN
Deputy Clerk

IN THE MATTER OF THE EXTRADITION

OF

MISC NO. 1:13-MJ-14

KEVIN CHIANELLA

AFFIDAVIT OF WAIVER OF EXTRADITION

I, KEVIN CHIANELLA, having been fully informed by my attorney, Melinda Ghilardi, of my rights under the extradition treaty in force between the United States and Canada Title 18, United States Code, § 3184 et seq., do hereby waive any and all such rights and ask the Court to expedite my return, in custody, to Canada.

My attorney, with whose services I am satisfied, has explained to me the terms of the extradition treaty in force between the United States and Canada, the applicable sections of Title 18, United States Code, and the complaint filed by the United States Attorney on behalf of the Government of Canada. I understand that, pursuant to Title 18, United States Code, Section 3184, I am entitled to a hearing at which certain facts would need to be established, including:

- that currently there is an extradition treaty in force between the United States and Canada;
- that the treaty covers the offenses for which my extradition was requested;
- that I am the person whose extradition is sought by Canada; and
- that probable cause exists to believe that I committed the offenses for which extradition was requested.

I concede that I am the individual against whom charges are pending in Canada and for whom process is outstanding there. I fully understand that in the absence of a waiver of my

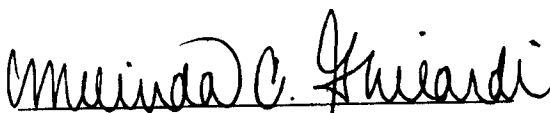
rights, I cannot be compelled to return to Canada unless and until a court in the United States issues a ruling certifying my extraditability and the Secretary of State of the United States orders my extradition by issuing a warrant of surrender.

I have reviewed the complaint and I fully understand my right to a hearing at which my counsel and I could challenge the extradition request presented by the Government of Canada.


I hereby waive my rights under the extradition treaty and the applicable sections of Title 18, United States Code, and agree to be transported in custody, as soon as possible, to Canada, and to remain in custody pending the arrival of agents from Canada. No representative, official, or officer of the United States or of the Government of Canada, nor any person whomsoever, has made any promise or offered any other form of inducement nor made any threat or exercised any form of intimidation against me. I execute this waiver of rights knowingly, voluntarily and entirely of my own free will and accord.

Dated this 28 day of Feb, 2013.


KEVIN CHIANELLA


MELINDA GHILARDI
FEDERAL PUBLIC DEFENDER'S OFFICE
Attorney for Kevin Chianella

I hereby certify that on this 28th day of February, 2013, Kevin Chianella personally appeared before me and made his oath in due form of law that the statements herein are true.


MARTIN C. CARLSON
Chief United States Magistrate Judge
Middle District of Pennsylvania